



| **UNITED STATES DEPARTMENT OF COMMERCE**
| National Oceanic and Atmospheric Administration
| CHIEF FINANCIAL OFFICER/CHIEF ADMINISTRATIVE OFFICER
| OCT 4 2000

MEMORANDUM FOR: Assistant Administrators

FROM: Stewart S. Remer
Deputy Chief Administrative Officer

signed

SUBJECT: Declaration of NOAA's Designated Responsible Officials under
NAO 216-17 and EO 12196

Success of the NOAA Environmental and Safety Programs requires formal assignment of a senior NOAA official at each NOAA site, facility, or vessel who will be responsible and accountable for the daily Environmental and Safety Program.

The NOAA official declaration reflecting the duties, responsibilities, accountabilities, recommended performance standards, and reporting chain of the Designated Responsible Officials (DROs) is attached. Also attached is a list of the DROs for the various NOAA sites, facilities, and vessels who have been assigned by each NOAA Line Office based on the individual's management seniority status.

If there are any questions, please contact Mr. Bernie Denno, Chief, NOAA Environmental Compliance and Safety Division at (301) 713-2870, Ext. 101.

Attachments

cc:
NOAA M&B Chiefs
NOAA FLD Chiefs



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DECLARATION OF NOAA'S DESIGNATED RESPONSIBLE
OFFICIALS UNDER NAO 216-17 AND EO 12196

A. Each Designated Responsible Officer (DRO) has responsibilities outlined in Section 3.02(d) of NAO 216-17 (NOAA Environmental Compliance Program), dated September 29, 1998, and the Executive Order (EO) 12196 (Occupational Safety and Health Program for Federal Employees), dated February 26, 1980, in the areas of environmental and occupational safety/health compliance.

1. Environmental. Section 3.02(d) of NAO 216-17, states that: every staffed NOAA facility must have a "Designated Responsible Official" (DRO). As further described by the NAO, the DRO position is automatically filled by " ... the senior NOAA official on-site ... " which official " ... has authority over operations or activities which are subject to environmental statutes."

2. Safety and Health. EO 12196 and Title 29 Code of Federal Regulation (CFR), Part 1960.9 (Basic Program Elements for Federal Employee OSH Programs and Related Matters), state that: "Employees who exercise supervisory functions shall, to the extent of their authority, furnish employees' employment and place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm."

B. The general duty of the DRO is to ensure day-to-day compliance with all environmental and occupational safety/health laws, regulations, and requirements imposed on their facility and their facility staff's activities. Specific duties and responsibilities identified in the NAO and EO are:

1. Ensuring that facility operations and activities are conducted in compliance with environmental and occupational safety/health requirements;

2. Ensure that all areas and operations of each workplace, including office operations, under the DRO jurisdiction, are locally inspected (i.e., assessed, surveyed, audit, etc.) at least annually;

3. Ensuring that all environmental and occupational safety/health assessment or survey findings are corrected within the recommended abatement period;

4. Ensuring that on-site personnel are aware of environmental and occupational safety/health requirements and are properly trained, and equipped; and,

5. Elevating environmental and/or occupational safety/health compliance issues to senior management with recommendations for resolution as necessary to ensure compliance.

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C. DRO's are the principal points of contact for the Regional Environmental Compliance Officers (RECOs) and Regional Safety Managers (RSMs) in the event of a major spill, incident or an accident resulting in multiple injuries or death of personnel at their facility requiring action, response, or reporting. Important functional information and program components are as follows:

1. The RECOs and RSMs are available to assist the DROs' in understanding the environmental and occupational safety/health requirements applicable at their respective facilities. Each NOAA Line Office has an environmental and occupational safety/health compliance coordinator, and some Line Offices have implemented a regional structure. These individuals are also able to provide technical assistance to a DRO on request.

2. Based on the diverse nature and organization of NOAA's programs, a singular definition of "facility" is extremely difficult. However, if you are the senior official of, or is otherwise the person ultimately in charge of, an NOAA building, field site, staff quarters or residence, office, laboratory, vessel, station, outpost, warehouse or any other type of facility, and you have the authority to direct the use, operation, or activities of that NOAA unit and/or its personnel, you are a DRO for that facility and are accountable for that facility or vessel's compliance with environmental and occupational safety/health laws and regulations.

3. In the event that you are a DRO as described above, you should familiarize yourself with NAO-216-17, EO 12196 and 29 CFR 1960 and your general and specific duties and responsibilities in each area. Your servicing RECO, RSM, and the Office of the General Counsel can be of assistance both in the determination of your status and in ensuring that you meet your responsibilities.

4. Each DRO must complete, or have completed, a formal training course that has been developed by the NOAA Environmental Compliance and Safety (ECS) Training Team within one year of the receipt of this declaration memorandum, with documentation of such training forwarded to the specific Line Office. The serving RECO or RSM is available to answer questions concerning the required DRO training.

5. At facilities or sites with more than one DRO, which share a common boundary and/or security arrangement, the highest ranking - senior NOAA official of the common area will establish and chair a formal local DRO committee. The local DRO committee will consist of the DRO's assigned to each facility, site or complex, within the common area. The highest ranking senior NOAA DRO will chair, coordinate and lead on environmental and occupational safety/health programs, or projects common to the area through the actions of the local DRO committee.

D. The NOAA ECS Division as well as the RECOs and RSMs are available to assist the DRO in any area of environmental and occupational safety/health compliance. The NOAA Environmental Compliance and Safety Division chief is Mr. Bernie Denno, telephone: 301-713-2870, fax: 301-713-0426, web-site: <http://www.ecs.noaa.gov>, address: 1305 East-West Highway, SSMC-4, OFA-74, Station 11109, Silver Spring, Maryland, 20910.

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DESIGNATED RESPONSIBLE OFFICIALS,
RECOMMENDED, CRITICAL PERFORMANCE STANDARDS

1. Environmental, Safety and Health Compliance. Ensure that all facility or site operations and activities, under the DRO jurisdiction, are conducted on a daily basis in compliance with environmental and occupational safety/health requirements by assuring on-site personnel are aware of and comply with environmental and occupational safety/health requirements and are properly trained, and equipped. To assist the DRO in meeting the environmental and occupational safety/health compliance objectives, the DRO will utilize the services of the Regional Environmental Compliance Officers (RECO), Regional Safety Manager (RSM), and line office personnel, to coordinate, plan, inspect, and implement environmental and safety initiatives and projects for the DRO.

2. Environmental, Safety and Health Assessments. Ensure that all areas and operations of each workplace, including office operations, under the DRO jurisdiction, are locally inspected (i.e., assessed, surveyed, audit, etc.) at least annually. More frequent local inspections will be conducted in all workplaces where there is an increased risk of an environmental degradations, and/or personnel accident, injury, or illness due to the nature of the work performed. Under the DRO' jurisdiction, the DRO will provide assistance in conducting external, NOAA directed, environmental and safety surveys and /or assessments of facilities, and sites, as part of the NOAA Environmental Compliance and Safety Assessment Program.

3. Environmental, Safety and Health Remediation. Ensure that all externals and locally environmental and occupational safety/health assessment or survey findings, under the DRO jurisdiction, are corrected within the recommended abatement period; elevate environmental and/or occupational safety/health compliance issues to senior management with recommendations for resolution as necessary to ensure compliance. With the assistance from the RECO, RSM, and line office personnel, prepare project documents and cost estimates in support of the corrective action from local and externally derived environmental and occupational safety/health surveys or assessments. The DRO will report annually to senior management on all completed and unresolved corrective actions derived from local and external environmental, safety/health surveys and assessment findings and the status of ongoing environmental and safety projects.